

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

**EQUISTAR CHEMICALS, LP and
MSI TECHNOLOGY L.L.C.,**

Plaintiffs,

v.

WESTLAKE CHEMICAL CORP.,

Defendant.

C.A. No. 6:14-cv-68

AMENDED FINAL JUDGMENT

A jury trial commenced in this case on March 7, 2016, and the jury reached and returned its verdict on March 11, 2016 (ECF 204). While the jury deliberated on March 11, 2016, the parties tried the affirmative of defense of laches to the bench. The jury reached a unanimous verdict finding no infringement and also finding that the asserted claims were not invalid regarding U.S. Patent No. 7,064,163. Pursuant to Rule 58 of the Federal Rules of Civil Procedure and in accordance with the jury's verdict and the entirety of the record, the Court hereby ORDERS and ENTERS JUDGMENT as follows:

1. Defendant Westlake Chemical Corporation does not infringe any of the asserted claims of U.S. Patent No. 7,064,163. Accordingly, Plaintiffs shall take nothing against Westlake Chemical Corporation as a part hereof.
2. The asserted claims are not invalid.
3. Westlake's affirmative defense of laches is denied solely on the ground that it is moot in light of the jury's non-infringement finding.

4. Westlake Chemical Corporation is declared to be the prevailing party, and as the prevailing party, Westlake Chemical Corporation shall recover its costs from Plaintiffs.
5. Any and all pending motions as between Plaintiffs Equistar Chemicals, LP and MSI Technology LLC and Defendant Westlake Chemical Corporation are DENIED.

So ORDERED and SIGNED this 5th day of April, 2016.



K. NICOLE MITCHELL
UNITED STATES MAGISTRATE JUDGE